

respond to the economic competitiveness challenges in the Appalachian region through—

(i) improving the skills of the region's workforce;

(ii) adapting and applying new technologies for the region's businesses, including eco-industrial development technologies; and

(iii) improving the access of the region's businesses to the technical and financial resources necessary to development of the businesses; and

(C) to address the needs of severely and persistently distressed areas of the Appalachian region and focus special attention on the areas of greatest need so as to provide a fairer opportunity for the people of the region to share the quality of life generally enjoyed by citizens across the United States.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1252.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
14101(a) .....	40 App.:2(a).	Pub. L. 89-4, §2(a), Mar. 9, 1965, 79 Stat. 5; Pub. L. 94-188, title I, §102, Dec. 31, 1975, 89 Stat. 1079.
14101(b) .....	40 App.:2(b).	Pub. L. 89-4, §2(b), as added Pub. L. 94-188, title I, §102, Dec. 31, 1975, 89 Stat. 1079; Pub. L. 107-149, §2(b)(1), Mar. 12, 2002, 116 Stat. 66.
14101(c) .....	40 App.:2(c).	Pub. L. 89-4, §2(c), as added Pub. L. 105-393, title II, §202, Nov. 13, 1998, 112 Stat. 3618; Pub. L. 107-149, §2(b)(2), Mar. 12, 2002, 116 Stat. 66.

In subsection (b)(1), the words “December 31, 1975” are substituted for “now” for clarity.

In subsection (c)(1), the words “decade ending November 13, 1998” are substituted for “past decade” for clarity.

#### § 14102. Definitions

(a) DEFINITIONS.—In this subtitle—

(1) APPALACHIAN REGION.—The term “Appalachian region” means that area of the eastern United States consisting of the following counties (including any political subdivision located within the area):

(A) In Alabama, the counties of Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Colbert, Coosa, Cullman, De Kalb, Elmore, Etowah, Fayette, Franklin, Hale, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Macon, Madison, Marion, Marshall, Morgan, Pickens, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston.

(B) In Georgia, the counties of Banks, Barrow, Bartow, Carroll, Catoosa, Chattooga, Cherokee, Dade, Dawson, Douglas, Elbert, Fannin, Floyd, Forsyth, Franklin, Gilmer, Gordon, Gwinnett, Habersham, Hall, Haralson, Hart, Heard, Jackson, Lumpkin, Madison, Murray, Paulding, Pickens, Polk, Rabun, Stephens, Towns, Union, Walker, White, and Whitfield.

(C) In Kentucky, the counties of Adair, Bath, Bell, Boyd, Breathitt, Carter, Casey,

Clark, Clay, Clinton, Cumberland, Edmonson, Elliott, Estill, Fleming, Floyd, Garrard, Green, Greenup, Harlan, Hart, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, McCreary, Madison, Magoffin, Martin, Menifee, Metcalfe, Monroe, Montgomery, Morgan, Nicholas, Owsley, Perry, Pike, Powell, Pulaski, Robertson, Rockcastle, Rowan, Russell, Wayne, Whitley, and Wolfe.

(D) In Maryland, the counties of Allegany, Garrett, and Washington.

(E) In Mississippi, the counties of Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Itawamba, Kemper, Lee, Lowndes, Marshall, Monroe, Montgomery, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Tippah, Tishomingo, Union, Webster, Winston, and Yalobusha.

(F) In New York, the counties of Allegany, Broome, Cattaraugus, Chautauqua, Chemung, Chenango, Cortland, Delaware, Otsego, Schoharie, Schuyler, Steuben, Tioga, and Tompkins.

(G) In North Carolina, the counties of Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Davie, Forsyth, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Stokes, Surry, Swain, Transylvania, Watauga, Wilkes, Yadkin, and Yancey.

(H) In Ohio, the counties of Adams, Ashtabula, Athens, Belmont, Brown, Carroll, Clermont, Columbiana, Coshocton, Gallia, Guernsey, Harrison, Highland, Hocking, Holmes, Jackson, Jefferson, Lawrence, Mahoning, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Trumbull, Tuscarawas, Vinton, and Washington.

(I) In Pennsylvania, the counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Bradford, Butler, Cambria, Cameron, Carbon, Centre, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana, Jefferson, Juniata, Lackawanna, Lawrence, Luzerne, Lycoming, McKean, Mercer, Mifflin, Monroe, Montour, Northumberland, Perry, Pike, Potter, Schuylkill, Snyder, Somerset, Sullivan, Susquehanna, Tioga, Union, Venango, Warren, Washington, Wayne, Westmoreland, and Wyoming.

(J) In South Carolina, the counties of Anderson, Cherokee, Greenville, Oconee, Pickens, and Spartanburg.

(K) In Tennessee, the counties of Anderson, Bledsoe, Blount, Bradley, Campbell, Cannon, Carter, Claiborne, Clay, Cocke, Coffee, Cumberland, De Kalb, Fentress, Franklin, Grainger, Greene, Grundy, Hamblen, Hamilton, Hancock, Hawkins, Jackson, Jefferson, Johnson, Knox, Lawrence, Lewis, Loudon, McMinn, Macon, Marion, Meigs, Monroe, Morgan, Overton, Pickett, Polk, Putnam, Rhea, Roane, Scott, Sequatchie, Sevier, Smith, Sullivan, Unicoi, Union, Van Buren, Warren, Washington, and White.

(L) In Virginia, the counties of Alleghany, Bath, Bland, Botetourt, Buchanan, Carroll,

Craig, Dickenson, Floyd, Giles, Grayson, Henry, Highland, Lee, Montgomery, Patrick, Pulaski, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe.  
(M) All the counties of West Virginia.

(2) **LOCAL DEVELOPMENT DISTRICT.**—The term “local development district” means any of the following entities for which the Governor of the State in which the entity is located, or the appropriate state officer, certifies to the Appalachian Regional Commission that the entity has a charter or authority that includes the economic development of counties or parts of counties or other political subdivisions within the region:

(A) a nonprofit incorporated body organized or chartered under the law of the State in which it is located.

(B) a nonprofit agency or instrumentality of a state or local government.

(C) a nonprofit agency or instrumentality created through an interstate compact.

(D) a nonprofit association or combination of bodies, agencies, and instrumentalities described in this paragraph.

(b) **CHANGE IN DEFINITION.**—The Commission may not propose or consider a recommendation for any change in the definition of the Appalachian region as set forth in this section without a prior resolution by the Committee on Environment and Public Works of the Senate or the Committee on Transportation and Infrastructure of the House of Representatives that directs a study of the change.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1254; Pub. L. 110–371, § 7, Oct. 8, 2008, 122 Stat. 4042.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
14102(a)(1) ..	40 App.:403 (less last 2 pars.).	Pub. L. 89–4, title IV, § 403, Mar. 9, 1965, 79 Stat. 21; Pub. L. 90–103, title I, § 123, Oct. 11, 1967, 81 Stat. 266; Pub. L. 91–123, title I, § 110, Nov. 25, 1969, 83 Stat. 215; Pub. L. 101–434, Oct. 17, 1990, 104 Stat. 985; Pub. L. 102–240, title I, § 1087, Dec. 18, 1991, 105 Stat. 2022; Pub. L. 103–437, § 14(e), Nov. 2, 1994, 108 Stat. 4591; Pub. L. 105–178, title I, § 1222(a), June 9, 1998, 112 Stat. 223; Pub. L. 107–149, §§ 11, 13(j), Mar. 12, 2002, 116 Stat. 70, 73.
14102(a)(2) ..	40 App.:301.	Pub. L. 89–4, title III, § 301, Mar. 9, 1965, 79 Stat. 19.
14102(b) .....	40 App.:403 (last 2 pars.).	

In subsection (a)(2), the words “the appropriate state official” are substituted for “the State officer designated by the appropriate State law to make such certification” to eliminate unnecessary words. The words “No entity shall be certified as a local development district for the purposes of this Act unless it is one of the following” are omitted as unnecessary.

In subsection (b), the text of 40 App.:403 (last par.) is omitted as obsolete.

#### AMENDMENTS

2008—Subsec. (a)(1)(C). Pub. L. 110–371, § 7(a), inserted “Metcalf,” after “Menifee,” “Nicholas,” after “Morgan,” and “Robertson,” after “Pulaski.”

Subsec. (a)(1)(H). Pub. L. 110–371, § 7(b), inserted “Ash-tabula,” after “Adams,” “Mahoning,” after “Lawrence,” and “Trumbull,” after “Scioto.”

Subsec. (a)(1)(K). Pub. L. 110–371, § 7(c), inserted “Lawrence, Lewis,” after “Knox.”

Subsec. (a)(1)(L). Pub. L. 110–371, § 7(d), inserted “Henry,” after “Grayson,” and “Patrick,” after “Montgomery.”

## CHAPTER 143—APPALACHIAN REGIONAL COMMISSION

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### SUBCHAPTER I—ORGANIZATION AND ADMINISTRATION

#### § 14301. Establishment, membership, and employees

(a) **ESTABLISHMENT.**—There is an Appalachian Regional Commission.

(b) **MEMBERSHIP.**—

(1) **FEDERAL AND STATE MEMBERS.**—The Commission is composed of the Federal Cochairman, appointed by the President by and with the advice and consent of the Senate, and the Governor of each participating State in the Appalachian region.

(2) **ALTERNATE MEMBERS.**—Each state member may have a single alternate, appointed by the Governor from among the members of the Governor’s cabinet or the Governor’s personal staff. The President,<sup>1</sup> shall appoint an alternate for the Federal Cochairman. An alternate shall vote in the event of the absence, death, disability, removal, or resignation of the member for whom the individual is an alternate. A state alternate shall not be counted toward the establishment of a quorum of the Commission when a quorum of the state members is required.

(3) **COCHAIRMEN.**—The Federal Cochairman is one of the two Cochairmen of the Commission. The state members shall elect a Cochairman of the Commission from among themselves for a term of not less than one year.

(c) **COMPENSATION.**—The Federal Cochairman shall be compensated by the Federal Government at level III of the Executive Schedule as set out in section 5314 of title 5. The Federal Cochairman’s alternate shall be compensated by the Government at level V of the Executive Schedule as set out in section 5316 of title 5. Each state member and alternate shall be compensated by the State which they represent at the rate established by law of that State.

<sup>1</sup> So in original.